IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 35100 of 2004(C)

PETITIONER:

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1. THE VICE CHANCELLOR, UNIVERSITY OF CALICUT, THENHIPPALAM, CALICUT.

2. THE UNIVERSITY OF CALICUT, REPRESENTED BY ITS REGISTRAR, THENHIPPALAM, CALICUT.

BY ADV. SRI.E.S.ASHRAF, SC, CALICUT UNIVERSITY

RESPONDENTS:

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1. THE KERALA LOK AYUKTHA, REPRESENTED BY ITS REGISTRAR, LEGISLATIVE COMPLEX, PALAYAM, THIRUVANANTHAPURAM.

2. DR.YUHANON MOR PHILOXINOS, METROPOLITAN OF MALABAR DIOCESE.

3. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER – ADV. SMT.SMITHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 35100/04

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF REPORT OF KERALA LOK AYUKTA.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 35100 of 2004 C

Dated, this the 28th day of February, 2007

J U D G M E N T

This writ petition is filed for expunging certain remarks made by the Lok Ayukta in Ext.P1 report, prepared based on a complaint made by the 2nd respondent to the Chief Minister of Kerala, who forwarded the complaint to Lok Ayukta for their enquiry. The specific grievance of the University, which filed this writ petition is the adverse remarks made in para 49 of the report. The Lok Ayukta made the observation that the conduct of the Vice Chancellor of the University appeared to them as if he was acting as a subordinate to the Education Department of the Government and as the dictates of the Government. It is seen that the Lok Ayukta came to the conclusion after referring to statutory provisions applicable to University, which do not confer any power on the Government. I do not find any ground to expunge the observations, which are conclusions derived from the conduct of the University. In the circumstance, this writ petition is devoid of any merit and is accordingly dismissed.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg